

AMENDED IN SENATE JULY 1, 1997

Senate Joint Resolution

No. 6

Introduced by Senators Solis and Lockyer
(Coauthor: Assembly Member Honda)

February 12, 1997

Senate Joint Resolution No. 6—Relative to *Filipino*
veterans' benefits.

LEGISLATIVE COUNSEL'S DIGEST

SJR 6, as amended, Solis. Filipino veterans of World War II: veterans' benefits.

This measure would memorialize the President and the Congress of the United States to *hold hearings and* act favorably on legislation pertaining to the granting of *full veterans' benefits* to Filipino veterans of the United States Armed Forces ~~full veterans' benefits~~.

Fiscal committee: no.

1 WHEREAS, The Philippine Islands became a United
2 States possession in 1898 when they were ceded from
3 Spain following the Spanish-American War and remained
4 a possession of the United States until 1946; and
5 WHEREAS, In 1934, Congress passed Public Law
6 73-127, the Philippine Independence Act, that set a
7 10-year timetable for the eventual independence of the
8 Philippines and in the interim established a
9 Commonwealth of the Philippines with certain powers
10 over its internal affairs; and

1 WHEREAS, The granting of full independence
2 ultimately was delayed for two years until 1946 because
3 of the Japanese occupation of the islands from 1942 to
4 1945; and

5 WHEREAS, During the interval between 1934 and the
6 final independence in 1946, the United States retained
7 certain sovereign powers over the Philippines, including
8 the right, upon order of the President of the United
9 States, to call into the service of the United States Armed
10 Forces all military forces organized by the
11 Commonwealth government; and

12 WHEREAS, President Roosevelt invoked this authority
13 by executive order of July 26, 1941, bringing the
14 Philippine Commonwealth Army into the service of the
15 United States Armed Forces of the Far East under the
16 command of Lt. General Douglas MacArthur; and

17 WHEREAS, There are four groups of Filipino nationals
18 who are entitled to all or some of the benefits to which
19 United States veterans are entitled. These are:

20 (1) Filipinos who served in the regular components of
21 the United States Armed Forces.

22 (2) Regular Philippine Scouts, called "Old Scouts,"
23 who enlisted in Filipino-manned units of the United
24 States Army prior to October 6, 1945.

25 (3) Special Philippine Scouts, called "New Scouts,"
26 who enlisted in the United States Armed Forces between
27 October 6, 1945, and June 30, 1947, primarily to perform
28 occupation duty in the Pacific following World War II.

29 (4) Members of the Philippine Commonwealth Army
30 who on July 26, 1941, were called into the service of the
31 United States Armed Forces. This group includes
32 organized guerrilla resistance units that were recognized
33 by the United States Army; and

34 WHEREAS, The first two groups, Filipinos who served
35 in the regular components of the United States Army and
36 Old Scouts, are considered United States veterans and are
37 generally entitled to the full range of United States
38 veterans' benefits; and

39 WHEREAS, The other two groups, New Scouts and
40 members of the Commonwealth Army, are eligible for

1 certain benefits, and some of these are paid at lower than
2 full rates. United States veterans' medical benefits for the
3 four groups of Filipino veterans vary depending upon
4 whether the person resides in the United States or the
5 Philippines; and

6 WHEREAS, The Old Scouts were created in 1901
7 pursuant to the Act of February 2, 1901, that authorized
8 the President of the United States "to enlist natives [of the
9 Philippines] ... for service in the Army, to be organized as
10 scouts ... or as troops or companies, as authorized by this
11 Act, for the regular Army"; and

12 WHEREAS, Prior to World War II, these troops assisted
13 in the maintenance of domestic order in the Philippines
14 and served as a combat ready force to defend the islands
15 against foreign invasion; and

16 WHEREAS, During the war, they participated in the
17 defense of and retaking of the islands from Japanese
18 occupation. The eligibility of Old Scouts for benefits
19 based on military service in the United States Armed
20 Forces, including veterans' benefits, has long been
21 established; and

22 WHEREAS, The federal Department of Veterans
23 Affairs operates a comprehensive program of veterans'
24 benefits in the Republic of the Philippines, including the
25 operation of a federal Department of Veterans Affairs
26 office in Manila; and

27 WHEREAS, The federal Department of Veterans
28 Affairs does not operate a program of this type in any
29 other country; and

30 WHEREAS, The program in the Philippines evolved
31 because the Philippines were a United States possession
32 during the period 1898–1946, and many Filipinos have
33 served in the United States Armed Forces, and because
34 the preindependence Commonwealth Army of the
35 Philippines was called into the service of the United
36 States Armed Forces during World War II (1941–1945);
37 and

38 WHEREAS, Many Filipino veterans, however, have
39 been discriminated against by the classification of their
40 service as not being service rendered in the United States

1 Armed Forces for purposes of benefits from the federal
2 Department of Veterans' Affairs; and

3 WHEREAS, Filipinos gallantly served at Bataan and
4 Corregidor, giving their toil, blood, and lives so as to
5 provide the United States valuable time to rearm
6 materiel and men to launch the counter-offensive in the
7 Pacific war; and

8 WHEREAS, All other nationals, even foreigners, who
9 served in the United States Armed Forces have been
10 recognized and granted full rights and benefits, but the
11 Filipinos who actually were American nationals at that
12 time were and are still denied recognition and singled out
13 for exclusion, and this treatment is unfair and
14 discriminatory; and

15 ~~WHEREAS, On March 6, 1995, House Resolution 1136~~
16 ~~was introduced in the United States House of~~
17 ~~Representatives, and on January 4, 1995, Senate Bill 55~~
18 ~~was introduced in the United States Senate, to deem~~

19 *WHEREAS, On March 6, 1997, House Resolution No.*
20 *836, the Filipino Veterans Equity Act, was introduced in*
21 *the United States House of Representatives, to deem*
22 *service in the organized military forces of the*
23 *government of the Commonwealth of the Philippines*
24 *and the Philippine Scouts during World War II to be*
25 *active service for the purpose of benefits under programs*
26 *administered by the Secretary of Veteran Affairs; and*

27 ~~WHEREAS, On January 4, 1995, Senate Bill 72 was~~
28 ~~introduced in the United States Senate, to direct the~~
29 ~~Secretary of the Army to issue a certificate of service to~~
30 ~~Filipino nationals whom the Secretary determines have~~
31 ~~performed any military service in the Philippine Islands~~
32 ~~during World War II that qualifies the person or a~~
33 ~~survivor to receive any military, veterans', or other~~
34 ~~benefits under federal laws; and~~

35 WHEREAS, The proposed legislation would bring
36 relief to the estimated remaining 60,000 to ~~80,000~~ 70,000
37 Filipino veterans (out of the initial 175,000 to 200,000
38 troops) who risked their lives during World War II,
39 surviving the occupation of the Philippine Islands and the
40 infamous Bataan Death March, and who, now in their

1 mid-60's to mid-90's, have been battling for years to obtain
2 the ~~benefits of other veterans of that war; now, therefore,~~
3 ~~be it~~ *benefits of other veterans of that war; and*

4 *WHEREAS, On October 20, 1996, President Clinton*
5 *issued a proclamation honoring the nearly 100,000*
6 *Filipino veterans of World War II, soldiers of the*
7 *Philippine Commonwealth Army, who fought alongside*
8 *the United States and Allied forces for four long years to*
9 *defend and reclaim the Philippine Islands, and of whom*
10 *thousands more joined the United States Armed Forces*
11 *after the war; now, therefore, be it*

12 *Resolved by the Senate and Assembly of the State of*
13 *California, jointly, That the Legislature of the State of*
14 *California respectfully memorializes the President and*
15 *Congress of the United States to hold hearings and act*
16 *favorably on legislation pertaining to granting full*
17 *veterans' benefits to Filipino veterans of the United*
18 *States Armed Forces; and be it further*

19 *Resolved, That the Secretary of the Senate transmit a*
20 *copy of this resolution to the President and Vice President*
21 *of the United States, to the Speaker of the House of*
22 *Representatives, and to each Senator and Representative*
23 *from California in the Congress of the United States.*